



Migration Amendment (Subclass 189 Visas) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 27 May 2021

David Hurley
Governor-General

By His Excellency's Command

Alex Hawke
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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1 Name

This instrument is the *Migration Amendment (Subclass 189 Visas) Regulations 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2021.	1 July 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Migration Act 1958*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Migration Regulations 1994

1 Subclause 189.232(1) of Schedule 2

Omit “The”, substitute “Subject to subclause (1A), the”.

2 Subclause 189.232(1) of Schedule 2

Omit “the 4 most recently completed income years before the date of the application (during the period of 5 years immediately before that date)”, substitute “3 income years ending during the period of 5 years ending immediately before the date of the application”.

3 After subclause 189.232(1) of Schedule 2

Insert:

- (1A) One of the income years must be the income year that ended most recently before the date of the application.

4 Subclause 189.233(1) of Schedule 2

Omit “4 completed”, substitute “3”.

5 In the appropriate position in Schedule 13

Insert:

Part 94—Amendments made by the Migration Amendment (Subclass 189 Visas) Regulations 2021

9401 Operation of Schedule 1

The amendments made by items 1 to 4 of Schedule 1 to the *Migration Amendment (Subclass 189 Visas) Regulations 2021* apply in relation to visa applications made on or after 1 July 2021.